



ROBERT MENENDEZ
NEW JERSEY

COMMITTEES:
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FOREIGN RELATIONS

United States Senate

WASHINGTON, DC 20510-3005

628 SENATE HART OFFICE BUILDING
WASHINGTON, DC 20510
(202) 224-4744

ONE GATEWAY CENTER
11TH FLOOR
NEWARK, NJ 07102
(973) 646-3030

208 WHITE HORSE PIKE
SUITE 16-19
BARRINGTON, NJ 08007
(956) 757-5353

September 29, 2009

The Honorable Julius Genachowski
Chairman
Federal Communications Commission
445 12th Street SW
Washington, DC 20554

Dear Chairman Genachowski:

I am writing to request that the Federal Communications Commission initiate an inquiry into the National Hispanic Media Coalition's (NHMC) petition regarding the extent, nature and effects of hate speech, and possible ways to counteract or reduce its negative impacts.

The time has never been more critical to examine this issue. Day after day we hear the hateful rhetoric – "the Latino invasion", the "illegal alien lobby" and other such phrases on our nation's television, radio and internet outlets. According to the Southern Poverty Law Center, the number of hate groups has grown by more than 50 percent since 2000. In fact, according to a report by the U.S. Department of Homeland Security, "Rightwing extremist groups' frustration over a perceived lack of government action on illegal immigration has the potential to incite individuals or small groups toward violence." In short, hate speech in the media has the capacity to mushroom into widespread violence against communities across America.

Hate speech is proliferating across media and telecommunications, and is sparking incidents of hate crimes. Luis Ramirez was bludgeoned to death last year in Pennsylvania, Marcelo Lucero was killed by a gang of teenagers in New York, and allegedly, Minutemen leader Shawna Forde brutally murdered a nine-year old Hispanic girl and her father in Arizona. Other groups have also been impacted by the rise in hate speech, including Scott Roeder's hate-induced assassination of Dr. Tiller and known-white supremacist James von Brunn's killing of an African American security guard in Washington, DC's Holocaust Museum.

As demonstrated by these appalling crimes, hate speech not only affects Latinos, but people from all walks of life and tears at the fabric of American society. By opening a docket for comment on the petition, the Commission can collect data and information about hate speech, raise public

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(202) 224-4744

ONE GATEWAY CENTER
11TH FLOOR
NEWARK, NJ 07102
(973) 645-3030

208 WHITE HORSE PIKE
SUITE 18-1B
BARRINGTON, NJ 08007
(856) 757-5353

awareness of the issue, and allow citizens to comment on the hate speech happening in their communities in an accessible and transparent forum. Ultimately, I hope that such an inquiry can lead to solutions that return our country to a more civil discourse in which people can disagree without inciting harm to people simply because they don't look or sound like themselves. I look forward to your prompt response.

Sincerely,

A handwritten signature in black ink, reading "Robert Menendez". The signature is fluid and cursive, with a long horizontal line extending from the end of the name.

ROBERT MENENDEZ
United States Senator



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

May 12, 2010

The Honorable Robert Menendez
United States Senate
528 Hart Senate Office Building
Washington, D.C. 20510

Dear Senator Menendez:

Thank you for your letter concerning the Petition filed by the National Hispanic Media Coalition on the nature and extent of hate speech in today's rapidly evolving media environment. I share many concerns about this issue, including the effects of perpetrating stereotypes and encouraging acts of violence against particular individuals or groups.

As discussed in your correspondence, a proceeding of the type requested in the Coalition's Petition could provide the Commission a unique opportunity to collect important data concerning hate speech and its possible consequences, as well as permit consumers to provide information on relevant developments in their communities. I have directed the Commission's Media Bureau to complete its review of the Coalition's Petition as quickly as possible to determine whether issuing a Public Notice is the best way to address these important issues, and whether there are other ways that the Commission might be helpful on this important topic in light of limitations on the Commission's authority to regulate media content under both the First Amendment and the Communications Act.

I appreciate the opportunity to learn your concerns about this important matter and will keep you informed of any action that the Commission takes on the Coalition's Petition. If I can be of further assistance, please do not hesitate to contact me.

Sincerely,

A handwritten signature in dark ink, appearing to be "J. Genachowski", is written over a horizontal line. The signature is stylized with a large, sweeping initial "J".

Julius Genachowski